

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Andhra Pradesh State Judicial Ministerial Services – Representation of Sri V. Srinivasulu, formerly Superintendent, (since retired) Junior Civil Judge Court, Kadapa District for dropping of further action – Orders – Issued.

LAW (LA&J-HOME-COURTS.D) DEPARTMENT

G.O.Rt.No. 1723

Dated:10.11.2011.

Read:

From the Registrar (Vigilance), High Court of A.P., Hyd.,  
D.O.Lr.No.1369-A/2010-Vigilance Cell, dt.19.11.2010.

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**O R D E R :**

In the reference read above, the Registrar (Vigilance), High Court of A.P., Hyd., has stated that the Charged Officer Sri V. Srinivasulu was formerly Superintendent, in Junior Civil Judge Court, Siddout, Kadapa District. Earlier in a Departmental Enquiry No.13/2004, he was awarded punishment of compulsory retirement from service with immediate effect by the Proceedings of the District Judge, Kadapa, dt.28.1.2009 while the said enquiry was pending for final orders, the charged officer was involved in another Departmental Enquiry No.6/2008, wherein two charges were framed against him touching the allegation that he has demanded bribe of Rs.4000/- from one V. Tirupalaiah, for return of R.D.A., and the said demand was made in the presence of M. Narapa Reddy and B. Venkataramaiah.

2. The following article of charges are framed against Sri Sri V. Srinivasulu, formerly Superintendent, (since retired) Junior Civil Judge Court, Kadapa District:-

That Sri V. Srinivasulu, Superintendent, Central Record Room Dist., Court Kadapa while discharging your duties as Central Record Keeper, received one R.D.A. bearing No.8/2008 of District Court, in connection with RDA No.15/2007 in OSNo.54/99 on the file of Junior Civil Judge Court, Nandalur, filed by one Valluri Tirupalaiah, the GPA holder of one N. Mahaboob Suban, who is plaintiff in OS.No.53/99, and son-in-law of the said V.Tirupalaiah for return of documents Ex.A1 to A4; that the said suit and appeal were also disposed of on 8.9.2000 and 9.11.2006 respectively, that when the petitioner of RDA i.e., V. Tirupalaiah approached you on 1.12.2007 and enquired about the RDA you have replied him that the petitioner is the power of attorney holder, and as such the RDA would not be given to him, and that you also proclaimed to the said petitioner of RDA that, if he would pay at lest Rs.4000/- as bribe, you would return the RDA to him, which if proved amounts to misconduct and misbehavior I discharging your duties and that you thus are liable for disciplinary action under the CCA Rules, 1991.

**Charge - II**

That Sri V. Srinivasulu, Superintendent, Central Record Rood, District Court, Kadapa while discharging your duties as Record Keeper, District Court Kadapa demanded an amount of Rs.4,000/- as bribe from the petitioner in RDA i.e., Valluru T. Tirupalaiah for return of RDA before 4.00 pm failing which you would return the RDA application, that you further threatened him that if the demanded amount is not given, you would not send his RDA application, that

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you further threatened him that if the demanded amount is not given, you would not send his RDA application for return of document through the concerned and that this attitude of you, if proved amounts to misconduct, misbehavior and disobedience and you thus are liable for disciplinary action under the CCA Rules, 1991.

3. The Article of Charges were communicated to the charged officer along with a list of documents and list of witnesses by whom the articles of charges were proposed to be sustained. The charged officer has been directed to submit the statement of defence. The charged officer submitted his written statement of defence dt.2.8.2008, denying the charges against him.

4. The enquiry was ordered appointing Sri D. Rajesh Babu, Prl. Junior Civil Judge, as Enquiry Officer and Sri B. Venkata Subbaiah, Supdt., Prl. Junior Civil Judge Court, Kadapa as the Presenting Officer, the Enquiry Officer examined the complainant- Petitioner Sri V. Tirupalaiah as PW1 Sri S. Nagi Reddy as PW2 and Exs.P1 to P6 in respect of charges leveled against the Charged Officer. He reiterated the stand taken in his statement of defence while answering the charges contending that he was deprived of adducing his defence in the enquiry and he was not served any notice to submit his defence and that he was retired on compulsory as per the District Court, proceeding No.852, dt.30.1.2009. However, he pleaded that he is a physically challenged person, unable to walk and not having a good health and sought to close the proceedings by taking into account the fact of his compulsory retirement and to release the pension.

5. The Prl. District Judge, Kadapa passed orders on 19.10.2010 for transmitting the enquiry report to Government in view of his compulsory retirement and the learned 1<sup>st</sup> Addl. District Judge, Kadapa in the capacity of incharge Prl. District Judge, addressed a letter to the Registrar, Vigilance, High Court of A.P., Hyd., in Dis.No.7008, dt.30.10.2010 along with the enquiry report requesting the Registrar (Vigilance), for onward submission to the Government of Andhra Pradesh, for imposing a punishment against the Charged employee, who was already awarded the punishment of compulsory retirement from service in Departmental Enquiry No.13/2004. that is how the instant orders occasioned. The only defence advanced by the charged officer in his written statement refuting the findings tendered by the E.O., is that he was not afforded an opportunity to adduce defence. The docket proceedings recorded by the learned Enquiry Officer would make it abundantly clear that the charged officer on many occasions failed to present before the Enquiry Officer and it was recorded on 21.10.2008 that the charged officer was absent and defence evidence was not adduced on behalf of charged officer and therefore, he has adjourned the matter to 22.10.2008 at 2.00 pm even on 22.10.2008 charged officer was absent and the Enquiry Officer had no other alternative and proceeded with further steps as per the procedure and has passed the order and submitted the enquiry report to the District Judge, Kadapa. Therefore, it is not tenable for the charged officer to contend that he was not afforded an opportunity of letting defence. The only question that arises is whether even based on preponderance of probability whether there is convincing and cogent material available on record to substantiate finding tendered and the conclusion arrived by the Enquiry Officer in finding the charged officer as guilty.

6. Government after careful examination is hereby dropped and that the charged officer was already retired compulsorily in the earlier enquiry. It can be arrived at that the material on record is not convincing to hold that the charges are proved and consequently the charged officer be exonerated, and accordingly the orders are passed exonerating the charged officer from both the charges leveled against him.

7. The Registrar (Vigilance), High Court of A.P., Hyderabad is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A. SHANKAR NARAYANA,  
SECRETARY TO GOVERNMENT,  
LEGISLATIVE AFFAIRS & JUSTICE.

To  
The individual through  
Registrar (Vigilance), High Court of A.P., Hyd.,  
The Registrar (Vigilance), High Court of A.P., Hyd.,  
Copy to:  
The Junior Civil Judge Court,  
Siddout, Kadapa District.  
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.